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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/460,951	12/14/1999	CARLINO PANZERA	173P023	3152
96448	7590	01/24/2011		
Ivoclar Vivadent Inc. 175 Pineview Drive Amherst, NY 14228			EXAMINER	
			HOFFMANN, JOHN M	
			ART UNIT	PAPER NUMBER
			1741	
		NOTIFICATION DATE	DELIVERY MODE	
		01/24/2011	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09460951	12/14/99	PANZERA ET AL.	173P023
<b>EXAMINER</b>			
Ivoclar Vivadent Inc. 175 Pineview Drive Amherst, NY 14228			John Hoffmann
<b>ART UNIT</b>		<b>PAPER</b>	
1741		20110110	

DATE MAILED:

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**Commissioner for Patents**

The reply filed on 11/19/2010 is not compliant because it was not fully responsive to the Ex Parte Quayle action of 10/08/2010 because of the following omission(s) or matter(s):

The amendment adds additional claims and it changes the scope of claim 5 which raises the issue of new matter. Such amendments are not permitted. See 37 CFR 1.116 and 41.33. The only permitted amendment is to put claim 5 into independent form. Also, the objection to the specification has not been addressed.

For these reasons, the amendment is not entered.

Since the two month period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

/John Hoffmann/  
Primary Examiner, Art Unit 1741